

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE**

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| * * United States of America * * v. * * Dale Stewart * | * * * * * * * | * * * * * * * |
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No. 1:23-cr-00060-SE-TSM

ASSENTED TO MOTION TO CONTINUE FOR AT LEAST NINETY (90) DAYS

NOW COMES the defendant, Dale Stewart, by and through counsel, Mark L. Sisti, Esq., and respectfully requests that this Honorable Court Continue the above-captioned matter.

As grounds for and in support of this motion it is stated:

1. The defendant is charged with three (3) counts of Possession of an Unregistered Firearm (Destructive Device) contrary to 26 U.S.C. § 5861(d).
2. Final Pretrial Conference is currently scheduled for January 8, 2024, at 4:00PM.
3. Jury Selection/Trial is currently scheduled for January 23, 2024, at 9:30AM.
4. A neurological evaluation of the defendant is still pending.
5. Undersigned counsel respectfully requests at least an additional ninety (90) days in order to facilitate the completion of the neurological evaluation.
6. Defense counsel has consulted with Mr. Stewart regarding the requested continuance, explaining by seeking said continuance, he is waiving his constitutional and statutory rights to a speedy trial. Mr. Stewart personally assented to the continuance. Defense counsel is mailing forthwith to the defendant a copy of the Assented to Motion to Continue.

7. AUSA Cesar Vega has been contacted and he indicated that he has no objection to the requested continuance.

8. The parties are available on May 21, 2024.

WHEREFORE the defendant respectfully requests that this Honorable Court grant the following relief:

- A. Continue this matter for at least Ninety (90) days;
- B. For such further relief as may be just.

Respectfully Submitted,

Dated: December 29, 2023

/s/ Mark L. Sisti, Esq.
Mark L. Sisti, Esq.
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CERTIFICATION

I hereby certify that on this 29th day of December 2023 that a copy of the foregoing Assented to Motion to Continue for at Least Ninety (90) Days has been forwarded to AUSA Cesar Vega, US Attorney's Office, through the Court's electronic filing system.

/s/ Mark L. Sisti, Esq.
Mark L. Sisti, Esq.